

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

) Confirmation No. 1174
)
) Group Art Unit: 2419
Applicants: KUMAR et al.)
) Examiner: Chuong T. Ho
Application No.: 10/734,406)
) COMMENTS ON STATEMENT OF
Filing Date: 12/12/2003) REASONS FOR ALLOWANCE
)
For: FACILITATING TRANSMISSION) Docket No.: P16884
OF A PACKET IN ACCORDANCE)
WITH A NUMBER OF TRANSMIT) PTO Customer Number 28062
BUFFERS TO BE ASSOCIATED) Buckley, Maschoff & Talwalkar LLC
WITH THE PACKET) Attorneys for Intel Corporation
) 50 Locust Avenue
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)

Mail Stop Issue Fee (via EFS)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the **STATEMENT OF REASONS FOR ALLOWANCE**, Applicants respectfully submit the following **COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE begin on page 2 of this paper.

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

These comments are provided in response to the Examiner's Statement of Reasons for Allowance set forth in the Notice of Allowance mailed on May 21, 2009 and are provided prior to, or in conjunction with, the payment of the issue fee in the above-identified application.

The Examiner's Statement of Reasons for Allowance makes various assertions regarding the prior art. Applicants reiterate that the amendments in Applicants' Response filed on April 27, 2009 were only intended to expedite prosecution of the allowable subject matter identified in the Office Action. As should be recognized in view of Applicants' Responses in Applicants do not agree with many of the assertions that have been made by the Examiner in the course of prosecution. Applicants reserve the right to address all assertions made by the Examiner (including but not limited the assertions made by the Examiner in the statement of reasons for allowance) in any future paper and/or proceeding. Applicants also expressly reserve the right to present previously pending claims in one or more continuation applications. In the event that a continuation application is not filed, the decision to not file a continuation application should not be construed as an admission against interest and/or that Applicants agree with the assertions made by the Examiner.

In addition, the Examiner's Statement of Reasons for Allowance states that:

Further with regards to claim 10, Examiner has reviewed the Application's specification (page 6, lines 14-16) and interpreted the "A storage medium" to be one of the memory as DRAM, CDROM, etc. Therefore, claim 10 is statutory under 35 USC 101.

Applicants respectfully submit that claim 10 is statutory. However, Applicants do not know what the Examiner has in mind when the Examiner uses the phrase "DRAM, CDROM, etc." Thus, Applicants cannot confirm that the interpretation is proper. Rather, Applicants respectfully request that "A storage medium" be interpreted so as to be statutory under 35 USC 101 but not otherwise limited by the interpretation set forth by the Examiner in the statement of reasons for allowance.

Respectfully submitted,

July 8, 2009
Date

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